

Apr 02, 2018

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

GRANT THOMAS McADAMS,

Plaintiff,

v.

ANDREW REMINGTON, MICHAEL
TRUE, JANE SNYDER, MICHAEL J.
REZNICEK, JOHN and JANE DOE(S)
and RICHARD and RACHEL ROE(S),
Defendants.

No. 4:16-cv-05133-SAB

**ORDER DENYING
PLAINTIFF'S MOTION FOR
RECONSIDERATION**

Before the Court is Plaintiff's Motion for Reconsideration of Order Adopting Report and Recommendation, ECF No. 34. The motion was heard without oral argument.

Motion Standard

Motions for reconsideration are generally disfavored and are considered "an extraordinary remedy, to be used sparingly in the interests of finality and conservation of judicial resources." *Kona Enters., Inc. v. Estate of Bishop*, 229 F.3d 877, 890 (9th Cir. 2000). A motion for reconsideration may be granted when: (1) there is an intervening change in controlling law; (2) the moving party presents newly discovered or previously unavailable evidence; or (3) the motion is necessary to correct manifest errors of law or fact upon which the judgment is

**ORDER DENYING
PLAINTIFF'S MOTION FOR RECONSIDERATION ~ 1**

1 based. *Turner v. Burlington N. Santa Fe R. Co.*, 338 F.3d 1058, 1063 (9th Cir.
2 2003). Such motions are not to re-hash arguments the court has already thought
3 through, or present arguments or evidence for the first time that could reasonably
4 have been raised earlier in the litigation. *See Kona Enters., Inc.*, 229 F.3d at 890.

5 Plaintiff has not presented any newly discovered evidence or identified a
6 clear error or a change in the controlling law. Rather, he is making the same
7 arguments he made before Judge Dimke and then this Court. As such, the Court
8 will not reconsider his arguments.

9 Accordingly, **IT IS HEREBY ORDERED:**

10 1. Plaintiff's Motion for Reconsideration of Order Adopting Report and
11 Recommendation, ECF No. 34, is **DENIED**.

12 **IT IS SO ORDERED.** The Clerk of Court is directed to enter this Order,
13 forward copies to pro se Plaintiff and counsel, and close the file.

14 **DATED** this 2nd day of April 2018.



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A handwritten signature in blue ink that reads "Stanley A. Bastian". The signature is written in a cursive, flowing style.

Stanley A. Bastian
United States District Judge